

Message Text

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ACTION EB-08

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FM AMEMBASSY ATHENS

TO SECSTATE WASHDC PRIORITY 6635

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E.O. 11652: N/A

TAGS: EAIR, GR

SUBJECT: AIR TRAFFIC CONTROL AUTOMATION STUDY - TECHNICAL ASSISTANCE

REF: ATHENS 5487

1. AS INDICATED IN REFTEL, THE HELLENIC CIVIL AVIATION AUTHORITY (HCAA) HAS SUGGESTED THE FOLLOWING CHANGES IN THE MEMORANDUM OF AGREEMENT (MOA) TO REFLECT THE GREEK PRACTICE IN PAYMENT PROCEDURE.

A. AT THE END OF SUB-PARA 3, PARA A, ARTICLE II, A NEW SENTENCE HAS BEEN ADDED SO THAT SUB-PARA 3 WOULD READ QUOTE RETURN TO ATHENS BY A THREE OR FOUR MAN TEAM TO BRIEF HCAA ON THE FINAL VERSION OF THE DRAFT REPORT PLAN. REVISIONS CAN BE MADE TO THE DRAFT AS A RESULT OF THIS VISIT AND DISCUSSIONS. TIME REQUIRED FOR THIS PHASE IS APPROXIMATELY THREE WEEKS. AFTER THE COMPLETION OF EACH OF THE ABOVE PHASES AND WITHIN FIFTEEN (15) DAYS FROM THE EXPIRY LIMIT A RELATIVE REPORT-INFORMING WILL BE SUBMITTED BY FAA TO HCAA. THE SUBMISSION OF THIS REPORT IS CONSIDERED AS A PRESUPPOSITION FOR THE CONTINUATION OF THE REGULAR PAYMENT OF INSTALLMENTS OF ARTICLE V HEREOF. UNQUOTE.

B. THE END OF PARA B, ARTICLE IV, HAS BEEN AMENDED, SO THAT PARA B WOULD READ QUOTE B. IF FOR ANY REASON, THE GOVERNMENT OF GREECE IS UNABLE TO PROVIDE FULLY THE SUPPORT SPECIFIED IN PARAGRAPH A ABOVE, OR, IF THE SUPPORT PROVIDED IS NOT EQUIVALENT TO THAT

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PRESCRIBED IN PERTINENT FAA REGULATIONS, THE FAA MAY OBTAIN SUCH ADDITIONAL SUPPORT AS NECESSARY TO ACCOMPLISH ITS TASKS, AND MAY CHARGE THE COSTS FOR SUCH ADDITIONAL SUPPORT TO THE HCAA, WHICH WILL REIMBURSE THE FAA, THEREFORE, IN ACCORDANCE WITH THE RELATIVE FAA ACCOUNTS. UNQUOTE

C. ARTICLE V - FINANCIAL PROVISIONS HAS BEEN AMENDED TO READ AS

FOLLOWS QUOTE ARTICLE V - FINANCIAL PROVISIONS THE REIMBURSEMENT FOR THE ELABORATION OF THE STUDY FOR THE AUTOMATION OF THE HCAA AIR TRAFFIC CONTROL SYSTEM IS DETERMINED IN THE TOTAL AMOUNT OF \$165,000 USA. THE ABOVE SUM ALSO INCLUDES ALL EXPENSES FOR THE SERVICES TO BE PROVIDED BY FAA PERSONNEL UNDER THE TERMS OF THE PRESENT AGREEMENT, WHICH WILL BE PAID BY FAA IN ACCORDANCE WITH FAA PRACTICE AND REGULATIONS, AS WELL AS EVERY OTHER NECESSARY PERTINENT EXPENDITURE, EXCEPT THOSE OF LOCAL SUPPORT MENTIONED IN ARTICLE IV OF THIS AGREEMENT. THE PAYMENT OF THE ABOVE SUM OF \$165,000 USA WILL BE MADE AS FOLLOWS: A. THE SUM OF \$135,000 USA WILL BE PAID IN NINE (9) MONTHLY INSTALLMENTS, EACH CONSISTING OF \$15,000 USA, THE FIRST INSTALLMENT BEING PAID ONE (1) MONTH AFTER THE SIGNATURE OF THE AGREEMENT. B. THE REMAINING REIMBURSEMENT AMOUNT OF \$30,000 USA WILL BE PAID AFTER THE SUBMISSION AND PERTINENT RECEIVING OF THE STUDY BY THE HCAA AND AT ANY RATE WITHIN SIXTY (60) DAYS FROM THE DATE THE STUDY HAS BEEN RECEIVED BY HCAA. C. THE INSTALLMENTS WILL BE MADE IN ACCORDANCE TO SPECIFIC HCAA ORDERS IN WHICH THE NUMBER OF THE RELATIVE AGREEMENT (WO-1-199) WILL BE MENTIONED. THE RELATIVE RECEIPTS OF FAA WILL BE SUBMITTED TO HCAA THE AGREEMENT NUMBER WO-1-199 HAS BEEN ASSIGNED BY FAA TO IDENTIFY THIS PROJECT AND SHOULD BE REFERRED TO IN ALL RELATED CORRESPONDENCE. UNQUOTE D. A NEW SENTENCE HAS BEEN ADDED AT THE END OF ARTICLE VII, WHICH SHOULD READ QUOTE ARTICLE VII - TERMINATION. THIS UNCLASSIFIED

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AGREEMENT MAY BE TERMINATED AT ANY TIME BY EITHER PARTY BY THIRTY (30) DAYS NOTICE IN WRITING. ANY SUCH REVOCATION WILL ALLOW FAA FIFTEEN (15) DAYS TO RETURN FAA PERSONNEL TO THEIR REGULAR FAA DUTY ASSIGNMENTS. IT IS AGREED THAT, IN CASE OF TERMINATION OF THIS AGREEMENT IN ACCORDANCE WITH THE ABOVE, THE AMOUNT OF MONEY LEVIED BY FAA, BE AVAILABLE TO ITS BENEFIT AS A COMPENSATION OF THE WORK PERFORMED UP TO THE TERMINATION DATE. NO OTHER CLAIM CAN BE RAISED BY EITHER OF THE CONTRACTING PARTIES. UNQUOTE

2. SHOULD FAA CONCUR TO ABOVE ADDITIONS AND MODIFICATIONS, HCAA WOULD HAVE COMMUNICATIONS MINISTER ALEXANDROS PAPADONGONAS SIGN THE MODIFIED VERSION OF THE MOA, WHICH WOULD THEN BE TRANSMITTED TO FAA FOR ITS OWN SIGNATURE. MILLS

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